



Montana Fish, Wildlife & Parks

2300 Lake Elmo Drive
Billings, MT 59105

NOTICE OF DECISION

for
Holmgren State Park
August 15, 2008

TO: Environmental Quality Council
Director's Office, Dept. of Environmental Quality
Montana Fish, Wildlife & Parks*

Director's Office	Lands Section
Parks Division	Design & Construction
Fisheries Division	Legal Unit
Wildlife Division	Regional Supervisors

Mike Volesky, Governor's Office *
Sarah Elliott, Press Agent, Governor's Office*
Maureen Theisen, Governor's Office*
Montana Historical Society, State Preservation Office
Janet Ellis, Montana Audubon Council
Montana Wildlife Federation
Montana State Library*
George Ochenski
Montana Environmental Information Center
Wayne Hirst, Montana State Parks Foundation
FWP Commissioners
Montana Parks Association (land acquisition projects)
DNRC Area Manager, Southern Land Office
Rob Raney
County Commissioners
Other Local Interested People or Groups
* (Sent electronically)

Ladies and Gentlemen:

A Draft Environmental Assessment (EA) was prepared for acquisition of the Holmgren State Park, a 72-acre property located on the Yellowstone River. The property is located approximately 6 miles upstream from Columbus, Montana, and includes approximately 1 mile of the Yellowstone River. The \$550,000 acquisition would be purchased through funding provided through Access Montana.

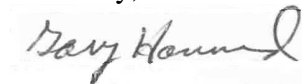
The draft EA was circulated for public comment for 30 days, beginning on July 8, 2008 and ending on August 8, 2008. A public meeting held in Columbus, Montana on July 24, 2008 was attended by 23 individuals. Legal and/or public notices were published in the Billings Gazette, the Helena Independent Record, the Stillwater County News, the

Yellowstone County News, as well as the MFWP Website. Additionally, a statewide press release was published announcing the July 24th public meeting.

Purchase of the Holmgren property will preserve a strategically-located access that is ideally located between Indian Fork Fishing Access Site (FAS) and Itch Ka Pee Park (located in Columbus). Presently, there is a distance of 19 miles between those two public access points.

After review of the public comments this proposal has generated, and considering conversations with neighboring landowners, as well as considering the significant public support and local government support for this project, it is my recommendation to accept Alternative 'B', the preferred alternative, which is to acquire the property known as the Holmgren property subject to final approval by the FWP Commission and the Land Board. The acquisition of the acreage adjacent to the Yellowstone River will provide the public with a strategically-located additional recreational site under the management of FWP along this popular river.

Sincerely,

A handwritten signature in dark ink, appearing to read "Gary Hammond", is written over a light blue rectangular background.

Gary Hammond
Regional Supervisor

HOLMGREN ACQUISITION & DEVELOPMENT PROPOSAL

EA PUBLIC COMMENT SUMMARY

- **Public comment period:** 7/8/08 - 8/8/2008
- **Public notices** placed on state website (7/11/08), published in the Helena Independent Record (7/15 & 7/22/2008) and the Billings Gazette (7/10 & 7/17/2008).
- **Article** regarding proposal and meeting; Statewide Press Release from FWP (7/11/08); Billings Gazette article (7/13/08); Stillwater County News article (7/16/08).
- **Public meeting;** 7/24/2008 in Columbus, MT 7:00 – 9:00 pm
 - 23 individuals signed in at the meeting.
 - **12 spoke in favor of the project proposal – none spoke in opposition.** A downstream neighbor asked several questions about the proposal, and how the acquisition might affect them (see attached).
(Several telephone calls were also received to discuss the proposal.)
 - **An on-site meeting** was also held with an adjoining landowner to answer question relative to the proposal).
 - **A total of seven comments were received in writing or via email during the public comment period, which were all in support of the proposal,** and included;
 - Three comments were received from outdoor recreation organizations;
 - Four comments were received from individuals.

RESPONSE TO PUBLIC COMMENTS

IN SUPPORT OF PREFERRED ALTERNATIVE

Public comment on this proposal expressed support for FWP selecting the preferred alternative (Alternative 'B') because of:

- it's strategic location given the significant distance between Indian Fort FAS (12 miles upstream) and Itch-Ke-Pe Park (7 miles downstream);
- it's contribution to the local economy of adjacent communities;
- Bathroom facilities provided at the site would help alleviate trespass issues and reduce "potty stops" in front of existing cabins and homes;
- the significant demand for additional accesses along the Yellowstone River.

FWP agrees that the Holmgren acquisition would represent a significant net benefit for many of the above-cited reasons submitted by the public at the Columbus public meeting and through written comments.

FUTURE OF THE PROPERTY IF NO ACTION ALTERNATIVE IS CHOSEN

If the no action alternative is selected, the property will likely be sold to a private individual, with a low likelihood for the public to enjoy access to the river at this location. Additionally, the presence of a FAS or State Park at this location will concentrate usage on a specific site that will receive regular maintenance as part of our existing region 5

FAS operation and maintenance responsibilities. Lastly, if FWP does not purchase the site, there could be development here that could compromise or eliminate the open space along the river that exists today.

SITE MANAGEMENT

Public use will create litter, noise, and late night partying.

Our management goal will be a safe, clean site and to minimize impacts on neighbors. If issues arise or persist, we can use progressively more development or management to reach our goal. The site will be added to our regular maintenance schedule for the Yellowstone River that includes two visits per week during high use periods. The majority of FWP fishing access sites are managed on a pack it out/leave no trace approach without any garbage service provided. This places the responsibility on recreationists and prevents household garbage from being placed in garbage cans. The site will be managed under the existing FWP public use regulations. Vehicles will be restricted to developed roads and parking/camping areas. As described below in the Enforcement Issues section, FWP will maintain a strong enforcement presence at the location.

DEVELOPMENT SUGGESTIONS

There was some concern about the potential of a 50 campsite development here.

There would be phased-in development accompanying this project. Initially, there would be walk-in or float-in opportunities, with no overnight camping. A secondary phase, as budgets allowed, would result in the development of a parking lot, a boat ramp, and latrine. A final phase could include camping facilities, which could include on-site staffing (camp host), interpretive signing, etc. The final size, location and configuration of a campground would involve additional analysis and discussion, which would involve a conversation with neighboring landowners and other interests.

ENFORCEMENT ISSUES

How will FWP ensure that public and / or private properties are not subjected to crime and vandalism?

FWP wardens have law enforcement responsibilities on a broad landscape; however, FWP lands receive an increased department and law enforcement presence. The Region 5 Enforcement Division has 9 field wardens, 9 ex-officio wardens, two warden sergeants, and a warden captain that proactively patrol and are available for call-out. The law enforcement officers from the Region 5 Enforcement Division staff regularly communicate and work with the Stillwater County Sheriff's Office (SCSO). The SCSO has historically been responsive to Fish, Wildlife, and Parks enforcement concerns; both proactively and when immediate warden response is unavailable. Damage to private or public property will be subject to penalties as per criminal statute MCA 45-6-101. Criminal mischief (1) A person commits the offense of criminal mischief if the person knowingly or purposely: (a) injures, damages, or destroys any property of another or public property without consent; or (b) without consent tampers with property of another or public property so as to endanger or interfere with persons or property or its use.

WEED MANAGEMENT

How does FWP plan to address management of weeds to ensure that weeds are not spread to neighboring properties?

Weeds will be managed under the auspices of the FWP Statewide Integrated Noxious Weed Management Plan. The plan guides the agency's annual \$600,000 noxious weed management program including \$34,168.64 in Region Five. FWP's noxious weed management efforts target exotic plant species capable of harming native plant communities and making land unfit for agriculture, forestry, livestock, wildlife, and other beneficial uses. We have a long successful partnership with Stillwater County in weed management on our sites utilizing a combination of contracted chemical spraying and in house resources for integrated weed management. We would continue that on this property.

If the Proposed Action is approved by the FWP Commission and the Montana Land Board, and a successful sale completed, FWP would assess the property for weeds, and initiate an integrated weed management plan. Weed management will involve using techniques that will have minimal impacts to fish and wildlife habitat.

Fencing and signing of boundaries

How will visitors to the site recognize when they are on the public site and not trespassing on the neighboring private land?

FWP works with neighboring landowners to make sure that boundaries are properly marked, and fencing is consistent with the needs of both parties.

Stream Access

What about public use on adjacent private land along the Yellowstone River?

Montana's Stream Access Law identifies legal uses of the waterway by the public. Information relative to that law will be posted on site for the edification of site users.

Hunting safety concerns

What about the use of high powered rifles on the site?

To begin, target shooting and any other shooting will be prohibited on the site outside of the hunting season. Also, there is a downstream buffer between this project and the neighboring landowner that is being retained by the Holmgren family. Approximately a third of the FAS/State Parks in Region 5 do not allow hunting with high-powered equipment due to safety concerns. FWP attempts to balance and consider safety concerns with the legal requirement to address game damage.